

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: ) Group Art Unit: 2609  
David Clarence Mullen )  
Serial No.: 10/813,509 ) Examiner: NGUYEN, KHAI N.  
Filed: March 29, 2004 ) Confirmation No.: 7396  
Atty. File No.: 4366-161 )  
For: "METHOD AND APPARATUS TO FORECAST THE AVAILABILITY OF A RESOURCE" (As Amended)  
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**AMENDMENT AND RESPONSE**

**CERTIFICATE OF TRANSMISSION**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING TRANSMITTED VIA THE OFFICE ELECTRONIC FILING SYSTEM IN ACCORDANCE WITH 37 C.F.R. §1.6(a)(4) ON *November 17, 2008*.

**CERTIFICATE OF TRANSMISSION**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
 BEING TRANSMITTED VIA THE OFFICE ELECTRONIC  
 FILING SYSTEM IN ACCORDANCE WITH 37 CFR  
 §1.6(a)(4) ON December 17, 2008

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SHERIDAN BOSS P.C.

BY: Kerriem Franklin

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants submit this Amendment and Response to address the Office Action having a mailing date of September 22, 2008. Although the Applicants believe that no fees are due in connection with the filing of this Amendment and Response, please charge any fees deemed necessary to Deposit Account No. 19-1970. Reconsideration and withdrawal of the objections to and rejections of the claims set forth in the Office Action are respectfully requested.